

In the Specification:

Paragraph starting at page 3 line 26 please amend at page 4, line 3, Referring to the drawings, in Figure 1 to 3, the pen has an elongate shank 10 and an elongate handle 11. The shank and handle are pivotably connected together by a pin 12. A pocket clip 13 is mounted to the handle 11. The handle and shank fit together end-to-end in Figure 1 and in [Figure 3] Figure 2 the handle surrounds the shank 10 in the folded configuration.

In the Claims:

Please delete claim 3 without prejudice.

Please amend claims 1, and 2 as indicated below.

1. (Amended) A writing implement having a writing head supported by an elongate shank, the shank having a shank remote end opposite a shank connector end, and an elongate handle, the handle having a handle connector end opposite a handle remote end, said handle connector and shank connector ends [that fits] fit end-to-end [to the shank] in a writing configuration for normal use, [in which] wherein the handle is [pivotable] pivotably connected to the shank and folds over the shank and is held against the shank when the implement is in a folded configuration and said handle has a cooperatively engaging locking means at the handle remote end for releasable engagement and locking retention of the handle to the shank at the shank remote end when the handle is folded over the shank.

2. (Amended) A writing implement according to claim 1, in which the handle is pivotably connected to the shank by a pivotable connection which is spring [biased] biased to restrain the shank and handle towards the writing configuration.

In the Abstract

Please change the Abstract title to read:

--Abstract of the Disclosure--.

REMARKS

Reconsideration of the various rejections set forth in the Office Action dated May 17, 2002 is respectfully requested in view of the foregoing Amendment and following Remarks.

Applicant has amended the title, the specification, and the abstract title. Claim 3 has been deleted without prejudice. Claims 1-2 have been amended to obviate any §112 rejections that may have been properly asserted. Claim 1 has also been amended to more precisely define the invention. Upon entry of the amendment claims 1,2, 4, and 5 will be pending for reconsideration.

Specification Objection

The Office Action asserts that the title of the invention is not descriptive and a new title has been provided. The new title reads: "Foldable Writing Implement". This new title is clearly indicative of the invention to which the claims are directed.

The Office Action asserts that the Abstract of the Disclosure "Abstract (Figure 3)" is objected to. The new title reads: "Abstract of the Disclosure".

Claim Objections

In claim 1, line 6, as suggested by the Examiner the language has been corrected to read "...the shank when the implement...".

The legibility in line 6 of claim 1 has been improved to read "is".